

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

RICHITA MARIE HACKFORD, et al.,

Plaintiffs,

vs.

STATE OF UTAH, et al.,

Defendants.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Case No. 2:11-CV-84

Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on January 14, 2014, recommending that this court dismiss Plaintiffs' case based on Plaintiffs' failures to comply with Rule 4 and effectively prosecute their case.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On January 23, 2014, the Plaintiffs filed their "Response to Report and Recommendations." (Dkt. No. 47.) On January 28, 2014, the State Defendants filed their "Reply to Plaintiffs' Response to Report and Recommendation." (Dkt. No. 48.)

Having reviewed all relevant materials, including Plaintiffs' *pro se* response, Defendants' reply, the record that was before the magistrate judge, and the reasoning set forth in the

magistrate judge's Report and Recommendation, the court agrees with the analysis and conclusion of the magistrate judge. As Defendants' point out in their Reply, Plaintiffs have been provided with repeated opportunities to correct errors in their filing and service, yet three years have passed and Plaintiffs have made no effort to comply. Rather than serving their complaint on the Defendants and moving the case forward, Plaintiffs have done nothing more than repeatedly reassert their requests for a temporary restraining order or preliminary injunctive relief, notwithstanding the fact that those requests were denied by this court, and that denial was affirmed by the United States Court of Appeals for the Tenth Circuit.

Accordingly, the court ADOPTS the Report and Recommendation of Magistrate Judge Warner and issues the following Order. Plaintiffs case is DISMISSED.

DATED this 31st day of January, 2014.



Dee Benson
United States District Judge